

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Case Nos.
vs.	)	10-03029-01-CR-S-GAF
	)	10-03029-02-CR-S-GAF
WESLEY PAUL COONCE, JR. and	)	
CHARLES MICHAEL HALL,	)	
	)	
Defendants.	)	

TRANSCRIPT OF PROCEEDINGS - VOLUME 21-B  
BEFORE THE HONORABLE GARY A. FENNER  
MAY 28, 2014  
SPRINGFIELD, MISSOURI

APPEARANCES

FOR THE PLAINTIFF:

MR. RANDALL D. EGGERT  
Assistant United States Attorney  
U.S. Attorney's Office  
901 St. Louis Street, Suite 500  
Springfield, Missouri 65806

MR. JAMES D. PETERSON  
United States Department of Justice-DC  
1331 F Street NW  
Washington, DC 20530

Proceedings recorded by mechanical stenography, transcript  
produced by computer

KATHERINE A. CALVERT, RMR, CRR  
FEDERAL OFFICIAL COURT REPORTER  
CHARLES EVANS WHITTAKER COURTHOUSE  
400 EAST NINTH STREET  
KANSAS CITY, MISSOURI 64106  
(816) 512-5741

APPEARANCES  
(continued)

FOR THE DEFENDANT COONCE:

MR. THOMAS D. CARVER  
MR. SHANE P. CANTIN  
Carver, Cantin & Grantham  
901 St. Louis, Suite 1600  
Springfield, Missouri 65806

MR. MATTHEW M. RUBENSTEIN  
Capital Resource Counsel Project  
Hosted by the Federal Public Defender  
for the District of Oregon  
101 Southwest Main Street, Suite 1700  
Portland, Oregon 97204

FOR THE DEFENDANT HALL:

MR. FREDERICK A. DUCHARDT, JR.  
Attorney at Law  
P.O. Box 216  
Trimble, Missouri 64492

MR. ROBERT D. LEWIS  
Attorney at Law  
435 East Walnut Street  
Springfield, Missouri 65806

MR. MICHAEL W. WALKER  
Duchardt & Walker, LLP  
5545 North Oak Trafficway, Suite 8  
Kansas City, Missouri 64118

I N D E X

Page

MAY 28, 2014

JOHN WISNER (resumed)	
Cross-examination by Mr. Peterson . . . . .	4812
Redirect examination by Mr. Duchardt . . . . .	4867
DAVID SCOTT DODRILL	
Direct examination by Mr. Peterson . . . . .	4880
Cross-examination by Mr. Rubenstein . . . . .	4926
Cross-examination by Mr. Duchardt . . . . .	4939
PARK DIETZ	
Direct examination by Mr. Eggert . . . . .	4943

1 or interview of the individuals that are involved?

2 A Correct.

3 Q And so how does that take place?

4 A So first there's a lot of scheduling that goes on and  
5 the schedules often change, then there's negotiation for  
6 whether a quiet enough room will be made available by the  
7 institution, and arrangements have to be made to gain entry  
8 into the institution.

9 And when I'm doing interviews of a defendant, I  
10 always try to both video record the evaluation and also audio  
11 record it, and I've done that since 1982 for the sake of  
12 transparency so that everyone can see the nature of my  
13 questions and the answers and what the interaction was like,  
14 and also because every interview changes the person who's being  
15 interviewed by giving them information or by influencing them  
16 in some way; and if I didn't videotape it, then those changes  
17 would be secret. They'd be hidden. No one would be able to  
18 evaluate how the person changed or why.

19 So I've been an advocate since 1982 of all mental  
20 health professionals videotaping the interview portions of  
21 their evaluations. This does not apply to psychological  
22 testing, which has other considerations, but for the interview  
23 portion I think we should all be videotaping it for the sake of  
24 transparency and to preserve the integrity of the behavioral  
25 evidence because, otherwise, it would be like letting one side

1 fool with the crime scene evidence before the other side could  
2 look at it. It would tamper with the evidence and I don't  
3 believe in that.

4 Q So you make a practice of videotaping every interview  
5 that you conduct in a forensic setting?

6 A Every interview of a defendant or of a claimant, yes.

7 Q Yes. And did that happen in this case?

8 A It did.

9 Q You had an opportunity to interview both defendants,  
10 Wesley Coonce and Charles Hall?

11 A I can't see Mr. Hall right now, but yes.

12 Q If you would like to stand up.

13 A I see him.

14 Q And then after you conducted those interviews, you then  
15 completed a report which summarized not only the factual  
16 findings and factual observations that had been made by your  
17 team of the documents but also your interview as well?

18 A That's correct. Though I should add that much of the  
19 bulk of the report comes from the summary. It's the factual  
20 basis of the opinions.

21 Q And the summary, of course, is part of the document  
22 that is reviewed by you?

23 A Yes.

24 Q And it's actually created under your supervision?

25 A Correct.